

The Identity Project  
(PapersPlease.org)  
1736 Franklin Street, 9th Floor  
Oakland, CA 94612  
510-208-7744 (office)  
415-824-0214 (cell/mobile)

July 14, 2011

Office of Information Programs and Services  
A/GIS/IPS/RL  
U. S. Department of State  
Washington, D. C. 20522-8100

**FOIA and Privacy Act Request**  
**Fee benefit requested**  
**Fee waiver requested**

Dear FOIA Officer:

This is a request pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552, and the Privacy Act, 5 U.S.C. § 552a.

I request access to and copies of:

- (1) Any records pertaining to the designation by the Secretary of State of a single contact officer responsible for overall coordination of the implementation of Executive Order 13107 by the Department of State (DOS), including but not limited to any orders or directives formalizing such a designation and any communications between the Office of the Secretary of State or other DOS components or other executive offices or departments regarding such a designation, the need or potential need for such a designation, and/or the absence of such a designation.
- (2) Any public notices promulgated by the DOS or DOS components pertaining to the designation of a single contact officer responsible for overall coordination of the implementation of Executive Order 13107 by the DOS.
- (3) Any information distributed to DOS components pertaining to the designation of a single contact officer responsible for overall coordination of the implementation of Executive Order 13107 by the DHS.
- (4) Any records pertaining to responsibility for implementation of Executive Order 13107 by DOS and/or DOS components prior to the first designation of such a single contact office for implementation of Executive Order 13107 by DOS.
- (5) Any policies, procedures, communications, or other records pertaining to the handling by the DOS or DOS components of complaints of alleged violations by the DOS or DOS components of U.S. obligations pursuant to international human rights treaties received prior to the designation of a single contact officer for implementation of Executive Order 13107 by the DOS.

- (6) Any policies, procedures, directives, instructions, or advice for use within DOS or by DOS components pertaining to the receipt, processing, investigation, referral, logging, reporting, and/or response to complaints of alleged violations by the DOS or DOS components of U.S. obligations pursuant to international human rights treaties, including but not limited to those pertaining to complaints received in the course of DOS and/or component rulemakings.
- (7) Any logs, docket lists, reports, or similar records pertaining to complaints of alleged violations by the DOS or DOS components of U.S. obligations pursuant to international human rights treaties, including but not limited to any reports that identify such complaints as a category of complaints to DOS, or that pertain to the number of such complaints, the DOS components by which they been received or to which they pertain, which provisions of which treaties have they alleged to have been violated, how they have been handled, what the disposition of them has been, what (if any) response has been provided to the complainants, how much time has elapsed between receipt and response to complaints, and/or how many such complaints remain pending.
- (8) Any documents or records (including but not limited to complaint or correspondence logs, referral or forwarding records, workflow or other action or tracking records, and e-mail messages or other communications) created by DOS, DOS components, or other agencies or departments in the course of processing or action on, or pertaining to, the attached complaints of human rights treaty violations by the DOS which were filed with the DOS on March 11, 2010, in docket DOS-2010-0035 and on April 24, 2011, in docket DOS-2011-0055 , and sent by mail to Secretary Clinton, Assistant Secretary Posner, and Legal Advisor Koh on April 24, 2011.

With respect to any e-mail messages included in the responsive records, I specifically request access to and copies of the complete informational content of the underlying electronic records, in their full and complete form including all headers and attachments, fully expanded e-mail addresses, full addresses for address "aliases", full lists for "distribution list" aliases, and all metadata.

I hereby waive any objections which I might be entitled to assert under the Privacy Act to the release under FOIA, in response to this request, of information pertaining to me.

Records of filings in rulemaking dockets, correspondence, and complaints received by DOS constitute "systems of records" containing personal information and from which information is retrieved by name or other personal identifier, and which are thus subject to the Privacy Act of 1974 (and have been designated as such by other Departments), regardless of whether the DOS has fulfilled its duty under the Privacy Act to promulgate notices of those systems of records. Accordingly, I request that for all records contained in any DOS system of records, regardless of whether a System of Records Notice (SORN) has been promulgated, (a) this request be processed under the Privacy Act in addition to FOIA, and (b) I be provided with a complete accounting of any and all disclosures that have been made of any of these records from any of these systems of records, including but not limited to any disclosures for "routine uses", any disclosures either of individual records or as part of bulk disclosures or bulk data transfers, and any and all disclosure to or via inter-agency entities or other intermediaries, and including the date, nature, and purpose of each disclosure, the specific information disclosed and the system(s) of records in which it is or was included and from which it was disclosed, and the name and address of the person, organization, or agency to which each disclosure was made.

As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on DOS policies and procedures that is of current interest to the public because without this information, there is no way for members of the public to know how or to whom to complain of human rights violations by DOS, to understand how such complaints are supposed to be handled, or to know what sorts of complaints have been made and how they have, in fact, been handled. This information is being sought on behalf of The Identity Project (“IDP”). IDP provides advice, assistance, publicity, and legal defense to those who find their rights infringed or their legitimate activities curtailed by demands for identification, and builds public awareness about the effects of ID requirements on fundamental rights. IDP is a program of the First Amendment Project, a nonprofit organization providing legal and educational resources dedicated to protecting and promoting First Amendment rights.

This information will be made available to the public. One of the principal activities of IDP is publication of the informational and educational Web site at <<http://www.papersPlease.org>>, where we have published documents obtained in response to our previous FOIA requests.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities. The records I am requesting clearly relate to government operations and activities. It is in the public interest for the public to know how their complaints are supposed to be handled, how they are being handled, and whether and if so how the DOS is fulfilling its duties pursuant to Executive Order 13107.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions. For any records responsive pursuant to both FOIA and the Privacy Act, and which are withheld, I request that you separately identify both the exemption which you believe provides a basis for withholding each such record or portion of a record under FOIA, and the exemption which you believe provides a basis for withholding each such record or portion of a record under the Privacy Act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

Please respond as soon as possible to confirm your receipt of this request. I look forward to your complete reply within 20 business days, as the FOIA statute requires.

Pursuant to 28 USC §1726, and in compliance with 6 CFR 5.21(d), I declare (certify, verify, or state) under penalty of perjury that I am Edward John Hasbrouck, born January 11, 1960, in Cambridge, MA, and currently residing at 1130 Treat Ave., San Francisco, CA 94110, and that the foregoing is true and correct to the best of my knowledge and belief.

Executed in the City and County of San Francisco, CA, USA, on July 14, 2011:

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Edward Hasbrouck